



STATE OF UTAH
NATURAL RESOURCES
Water Rights

Norman H. Bangerter, Governor
Dee C. Hansen, Executive Director
Robert L. Morgan, State Engineer

Southwestern Area • 585 N. Main Street • P.O. Box 506 • Cedar City, UT 84720-0506 • 801-586-4231

July 2, 1991

Kent W. McComb
1371 West 860 North
St. George, UT 84770

Re: WUC 71-2170, Shoal Creek near Enterprise

Dear Mr. McComb:

It has been brought to our attention that you are diverting water from Shoal Creek by means of a small pump and pipeline and using the water to irrigate property you own. We have researched our records concerning water rights in this area and have ascertained that you have a right to irrigate but not under the present circumstances. We must advise you to cease the operation of the pump and use the water according to your water user claim.

The attached water user claim 71-2170 describes the water right appurtenant to your property. Please review this claim carefully and note that it does not give you the right to irrigate except during the non-growing season. Also, the water is to be diverted by an earth & manure dam at a specific point on the natural channel. This subject claim is part of the court ordered decree and must be regulated according to that decree.

If your official point of diversion or dam is unusable because of erosion or other physical factors then you may file an application for permanent change to correct the problem. Any time you change the point of diversion, place of use or nature of use of water in the State of Utah, it must be accomplished by filing an application for permanent change.

In the event you have any questions concerning this matter please feel free to contact our office in Cedar City for assistance.

Yours truly,

Gerald W. Stoker, P.E.
Area Engineer/Manager

cc: Lee Ann, Distribution Engineer